

National Commission on the Future of the Army Act

Section-by-section

Sec. 1: Short Title

Sec. 2: Prohibition on the Use of FY15 Funds to Reduce End Strengths of Army Personnel

This section prevents any funds from being used to reduce or prepare to reduce any component of the Army below the President's FY17 request, an amount General Odierno has said in testimony should be an absolute floor. The bill numbers reflect the difference between "end strength" and "force structure" in the National Guard which currently exists wherein the National Guard recruits above its force structure in order to meet readiness needs, as in the case of the Delayed Entry Program. Such members do not drill, so do not incur cost.

Sec. 3: Limitation on use of Fiscal Year 2015 Funds for Transfer or Divestment of Certain Aircraft Assigned to the Army National Guard

No more than 72 AH-64 Apaches may be transferred from the Army National Guard to the Active Component until the Commission reports. Those 72 aircraft may be transferred following a 90 day interim report called for in Section 5 that can inform a certification by the Secretary of Defense that it will not degrade strategic depth or regeneration capacities or degrade the Army National Guard in its role as a combat reserve. Such a double-check is designed to support final transfer of those aircraft, regardless of the findings of a Commission.

The section allows the full divestment of the OH-58D Kiowa Warrior and provides the Active Component sufficient Apaches to fulfill the recon mission envisioned by the Aviation Restructuring Initiative. It also allows the Army to go forward with retraining for Guard Apache pilots that will be transitioning to UH-60 Black Hawks, taking advantage of a temporary surplus in aviation training slots during FY15.

Sec. 4: National Commission on the Future of the Army

This section establishes the make-up of the Commission, providing for appointment of members familiar with multiple components, establishing a speedy timeline for their appointment, and governing the functioning of that Commission. It clarifies Congressional intent that this Commission is not of the same type as a Federal Advisory Committee, in line with the unanimous recommendation of the National Commission on the Structure of the Air Force.

Sec. 5: Duties of the Commission

The Commission is assigned responsibility for a comprehensive study on the structure of the Army, and policy assumptions related to its size and force mixture in order to provide recommendations about the size and make-up of the future Army. It specifically asks the Commission to consider planned for and likely missions, budgetary realities, and domestic needs, and force generation policies and assumptions related to building an adequate force. A final report is due not later than February 1, 2016, in order to provide ample time for consideration and input from all stakeholders.

The section also calls for an interim report ninety days after formulation to consider the cost and cost savings of the Aviation Restructuring Initiative, after which the Secretary of Defense may

certify that up to 72 Apaches can be permanently transferred from the Army National Guard to the Active Component without damage to the nation.

Sec. 6: Powers of the Commission

This section establishes the process by which a wide-range of interested parties can provide feedback and suggestions to the Commission.

Sec. 7: Commission Personnel Matters

This section provides for compensation, travel expenses, equipment and material, and staff related to the Commission's work.

Sec. 8: Termination of the Commission

The Commission will cease to be authorized 90 days after its final report under Section 5.

Sec. 9: Congressional Defense Committees Defined

This section gives Congressional Defense Committees its common definition of the House and Senate Armed Services Committees and the House and Senate Appropriations Subcommittees on Defense.

Sec. 10: Funding

The legislation stipulates that any Commission funds should be appropriated within the Operations and Maintenance account.